UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.241/54/Add.3
24 June 1996

ENGLISH
Original: SPANISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR
THE ELABORATION OF AN INTERNATIONAL CONVENTION
TO COMBAT DESERTIFICATION IN THOSE COUNTRIES
EXPERIENCING SERIOUS DROUGHT AND/OR
DESERTIFICATION, PARTICULARLY IN AFRICA
Ninth session
New York, 3-13 September 1996
Agenda item 2

DESIGNATION OF A PERMANENT SECRETARIAT AND ARRANGEMENTS FOR ITS FUNCTIONING: PHYSICAL LOCATION

Note by the Secretariat

Attached, as indicated in document A/AC.241/54, is the offer of the Government of Spain to host the Permanent Secretariat of the Convention to Combat Desertification in Murcia.

GE.96-62421 (E)
96-20075

CANDIDATURE OF MURCIA TO HOST THE PERMANENT SECRETARIAT OF THE INTERNATIONAL CONVENTION TO COMBAT DESERTIFICATION IN THOSE COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA (PARIS, 17 JUNE 1994)

This Convention is of special importance for Spain. The "Regional Implementation Annex for the Northern Mediterranean" reflects an acknowledgement of the scale of this problem, in this region of Europe of which Spain forms a part, both in relation to its geographical scope, and as regards its intrinsic characteristics.

Efforts to combat desertification in Spain have a long history. The United Nations Conference on Desertification in Nairobi in August-September 1977 already reflected an awareness of the scale of the problem, and initiated the "Plan of Action to Combat Desertification in the Mediterranean Region". This was the first project involving applied research on desertification, encompassing all its constituent processes, and including for the first time the dissemination of information and training for the population groups affected.

Spain has also participated in a large number of international programmes with a direct or indirect connection with desertification. On a European scale, mention could be made of the CORINE programme, featuring soil inventories and assessments in Europe. Spanish scientists are also cooperating in the MEDALUS and EFEDA projects as part of the European Union framework programme for research and development.

Along the same lines, during the course of the negotiations, the Spanish Government, in cooperation with the secretariat of the Intergovernmental Negotiating Committee for the Convention on Desertification, and with the aim of contributing to the debate, organized two seminars as inputs to the drafting of the Convention - on desertification and soil uses in the Mediterranean basin, and on desertification and migration, held in Almería in June 1993 and February 1994 respectively.

After the Convention was adopted in Paris, Spain organized the First Regional Conference on Desertification in the Northern Mediterranean Region, in June 1995, which laid the foundations for the preparation of an action programme for the region.

For geographical and climatic reasons, Spain is keenly aware of the problem of desertification. In keeping with its international activities, efforts to combat desertification currently enjoy priority among environmental policies. Roughly half of Spain is subject to processes involving the loss of plant cover as well as degradation of soil and water resources. These phenomena have regrettably assumed major dimensions in almost a fifth of the area of the country.

The preparation of the national action programme, in pursuance of the requirements of the Convention, gave a new stimulus and a new direction to efforts to combat desertification in our country. On the one hand, this involved studying, evaluating and analysing the many prevention and control

measures carried out to date, highlighting shortcomings and errors. At the same time, application of the criteria set forth in the Convention also involved the coordination of all operations, the updating of many of them, and a new direction for desertification control efforts, which, in accordance with the Convention, must be comprehensive and coordinated.

Spain is the most seriously affected country in the European Union, and one which, as a result of its long experience in desertification control, has close geographical, economic, historical and cultural links with the American and African continents which can help to facilitate the transfer and exchange of such experience, know-how and technology with the countries of those continents and establish a model of North-South cooperation in this field.

All these elements place Spain in a position to serve as a focal point or point of reference for the formulation and elaboration of national and regional programmes, and in the establishment of machinery for cooperation, as a basis for the application of the Convention and success in working towards its objectives.

MURCIA AS THE HEADQUARTERS OF THE PERMANENT SECRETARIAT OF THE CONVENTION TO COMBAT DESERTIFICATION

Set out below are the climatic and pedological characteristics of the Murcia region, which account for its interest in the Convention to Combat Desertification as a result of being affected by this phenomenon, and hence engaged in a search for solutions.

1. METEOROLOGY

The most significant features of the climate in Murcia are as follows:

Meagre mean annual precipitation - 316.3 mm; a large typical deviation, of $\pm$ 116.3 mm; the large number of years (20 per cent) with less than 217 mm of rain recorded, rising to 40 per cent for a rainfall level of 274 mm and 60 per cent for volumes of precipitation of 328 mm. Severe and chronic summer drought, lasting two or three months and sometimes more; high rates of potential evapotranspiration, which in some areas exceeds 1,000 mm per year; the large water deficit in the territory; high aridity indices, the highest in Europe together with neighbouring Almería; rainfall maxima in autumn, corresponding to the specific meteorological system of the western Mediterranean; highly random and often violent rainfall, as a result of repeated meteorological conditions that cause the phenomena known as gota fría (a cold front), which are capable of causing large-scale downpours in short periods of time. The meteorology of the Murcia region offers plentiful examples of short-lived torrential rain with a high capacity for eroding soils suffering from high moisture stress.

2. EROSION

Pedological and geomorphological factors are directly related to the generation of surface runoff. The type of soil, the slope, the rocky surface and the absence of plant cover are conducive to the concentration of large high-energy water flows which discharge water and sediment onto lower areas.

Given the soils in the Murcia region, infiltration is a highly variable process. Infiltration rates range from 0 per cent to 100 per cent of rainfall. Because the behaviour in time and space covers such a wide range, so do the hydrological and erosion processes which are dependent on the rain-infiltration-runoff system.

Repeated lengthy severe droughts interspersed with short but violent downpours create conditions which are highly conducive to erosion, leading to large-scale continuous degradation of soils which enjoy scant protection from plant cover following relentless deforestation.

Soil erosion in Murcia is a fundamental result of the disappearance of plant cover, ploughing to extend the area under cultivation and inappropriate cultivation of arboraceous and herbaceous dry-land crops on land with slopes exceeding 15 per cent in areas that experience very sporadic but intense rainfall. The abandonment of woodland by individuals because of poor economic viability and poor productivity, as a result of which large areas suffer from a lack of interest in sound cultivation, also helps to exacerbate the process of desertification.

Owing to all these factors, around 70 per cent of the area of the Murcia Autonomous Community is currently affected by erosion.

The serious situation described above has led the authorities to put into effect large-scale programmes for flood control, corrective hydrological and forestry operations, reforestation, efforts to sustain existing plant cover, agro-environmental measures, and so on, involving very high budgetary outlays. All in all, the fact that the Murcia Autonomous Community occupies a peripheral region experiencing serious problems of desertification has led to greater awareness of similar problems suffered by other regions - an undoubted advantage or positive factor supporting Murcia's candidature to host the permanent secretariat of the Convention to Combat Desertification.

FACILITIES AND OFFICES

Office space totalling 1,100 square metres with parking space and all necessary facilities, furnished and equipped, including computer systems to allow a link-up to telecommunication networks.

Appropriate housing will be provided for the Secretary of the Convention.

INFRASTRUCTURE IN THE MURCIA REGION

The Murcia region is linked by motorway with the whole of eastern Spain and Europe, as well as Andalucia and Portugal. San Javier airport is connected by air to London, Madrid, Barcelona, Ibiza, Palma de Mallorca and Vitoria, while the Altet (Alicante) international airport is located 60 kilometres from Murcia by motorway.

Murcia also has a conference centre with a capacity of up to 1,800, equipped with all the most advanced services in terms of audiovisual facilities, office automation, translation, security, catering, etc.

INSTITUTIONAL SUPPORT

The features described above and the experience built up in desertification control mean that Murcia possesses a wealth of knowledge and experience in this field.

It has a university containing many faculties, including a Department of Geology and Soil Science and a Water and Environment Institute.

It also possesses the Segura Centre for Soil Science and Applied Biology, which falls under the Higher Council for Scientific Research, as well as the Centre for Agrarian and Agro-Food Research, which reports to the Regional Ministry for the Environment, Agriculture and Water.

Murcia has hosted many scientific meetings on environmental geology and desertification. Furthermore, the region is covered by the Plan of Action to Combat Desertification in the Mediterranean Region developed by the Directorate-General for Nature Conservation and the University of Murcia. The departments of geology and physical geography are engaged in ongoing research on desertification issues.

The Valencia regional government is in the process of establishing a Desertification Institute in the nearby city of Valencia which could also offer support to the Permanent Secretariat which is being invited to Murcia.

FINANCIAL SUPPORT

The Spanish Government's offer to host the Permanent Secretariat of the Convention to Combat Desertification includes the following elements, agreed with the Murcia Autonomous Community:

Office space totalling 1,100 square metres, together with 10 parking places and all necessary facilities, furnished and equipped, including computer systems to allow a link-up to telecommunication networks.

The funds needed for the operation of the Permanent Secretariat.

A contribution of US$ 1 million for desertification projects handled by the secretariat, in consultation with the Government of the Autonomous Region, which could be used in part for meetings of experts and technical assistance to the secretariat.

PRIVILEGES AND IMMUNITIES TO BE GRANTED TO THE SECRETARIAT AND ITS STAFF, INCLUDING THE NATURE OF THE HEADQUARTERS AGREEMENT AND OTHER ARRANGEMENTS TO BE MADE IN THE SECRETARIAT AND DIPLOMATIC PRIVILEGES FOR SECRETARIAT OFFICIALS AND THEIR FAMILIES

1. Legal personality

The secretariat shall have legal personality and capacity to enter into contracts, acquire and transfer immovable property and take legal action in the courts.

2. Inviolability

The premises, archives and official correspondence of the secretariat shall be inviolable wherever they may be located. The secretariat may use codes and send and receive correspondence by diplomatic pouch on the same terms as diplomatic missions. Only in cases of grave suspicion may checks be conducted, in the presence of a representative authorized by the Executive Secretary, to determine that the pouches contain only official correspondence.

The property of the secretariat shall be exempt from inspection, requisition, confiscation, expropriation and any coercive measure on the part of the executive, administrative, judicial or legislative authorities. The Spanish authorities shall guarantee protection of the headquarters.

3. Immunity from jurisdiction and attachment

The secretariat shall enjoy immunity from criminal, civil and administrative jurisdiction, unless it expressly renounces such immunity or in cases involving damage caused by a vehicle in the event of an accident. Acceptance of clauses acknowledging jurisdiction in contracts shall presuppose renunciation of immunity, although it shall not involve a renunciation of immunity from attachment, unless expressly stated.

4. Tax exemptions

The secretariat shall be exempted from payment of taxes and charges at the national, regional and municipal levels on the land and premises of the headquarters, with the exception of those imposed on the provision of services by individuals.

The secretariat shall enjoy diplomatic privileges in respect of the import and export of goods for its official use, and the same provisions shall be applied to it as to diplomatic missions. This privilege shall embrace all types of customs duties and related charges, except for the costs of storage, carriage and similar services.

Goods subject to this privilege and deliveries of goods and services for the secretariat shall be exempted from payment of value-added tax, within the limits laid down in applicable international agreements.

5. Miscellaneous

The secretariat shall enjoy freedom and support in respect of currency exchange and transfers and shall enjoy favourable treatment similar to that granted to diplomatic missions in the use of public services.

The Spanish authorities shall facilitate the entry, exit and stay of representatives of parties to the Convention, the management and staff of the secretariat, their spouses and children and, in exceptional cases, other members of their families living with them. These privileges will also be

granted to persons requiring official access to the headquarters on account of their duties, providing that they have duly informed the Ministry of Foreign Affairs.

Any visas required shall be issued free of charge. Exemption will be granted from the requirement to register as an alien and obtain residence and work permits where no other paid or professional activity is engaged in.

STATUS OF THE EXECUTIVE SECRETARY, HIS DEPUTY AND THE STAFF OF THE SECRETARIAT

The Executive Secretary of the Convention shall enjoy the same privileges, immunities and prerogatives as heads of mission, and his deputy or the person replacing him shall enjoy those of chargé d'affaires ad interim. In all cases exemption from payment of value-added tax shall be granted for deliveries, leases, construction and maintenance work of a value of more than 125,000 pesetas, and the supply of gas, water, electricity, fuel, telephone and radio telephone communication for the residence of the Executive Secretary. The tax exemptions shall be granted exclusively for the residence of the Executive Secretary on the condition that it has been acquired or rented by the secretariat and for official use as his residence.

The Executive Secretary shall designate officials who, by reason of the duties they perform, must enjoy the privileges, immunities and prerogatives granted to diplomatic agents. This may include officials down to the level of P.4 (subject to a maximum to be established by joint agreement and reviewed every two years). In any event the Executive Secretary, his deputy and management staff down to and including the P.4 level shall have the right to duty-free import of objects for their private use.

The purpose of this allowance shall be to guarantee the efficient discharge of the functions of the persons concerned and shall not be granted to those of Spanish nationality or those engaging in paid activities in Spain.

Articles for use and consumption that are imported must correspond to the personal and family requirements of the beneficiaries. Goods subject to the allowance and services shall be exempted from the payment of value-added tax within the limits laid down in applicable international agreements. In any event the exemption from the payment of value-added tax on deliveries destined for the personal use of management staff or to furnish their principal residences shall be limited to a period of 18 months from the date of their accreditation.

The Executive Secretary may import two motor vehicles duty-free, and other management staff down to and including the P level shall be exempted from inspection of their personal luggage unless there are grounds to suppose that it contains objects subject to the payment of duty or to an import ban. However, it may be inspected only in the presence of the person concerned or his authorized representative.

An Executive Secretary who is of Spanish nationality or resides permanently in Spain may enjoy immunity from jurisdiction in respect of official acts performed in pursuance of his duties. Where no such immunity is granted, jurisdiction will be exercised in such a way as not to hamper unduly the work of the secretariat.

The spouse and children of each accredited person who are living with him as his dependants and are not engaged in paid activities in Spain shall enjoy the same privileges and immunities as the person on whom they are dependent. In all cases the spouses of any of the management or administrative officials referred to shall have access to the labour market.

The Permanent Secretary must notify individually the appointment, recruitment and dismissal of each staff member and his status.

IMMUNITIES OF EXPERTS

Experts not covered by the above paragraphs shall, when working, provided that the discharge of their duties so requires and in the case of official travel on behalf of the secretariat, enjoy immunity from arrest or seizure of their personal luggage, except in cases of flagrante delicto, in which case the secretariat shall be informed immediately. They shall also enjoy immunity against any judicial action in respect of acts performed orally or in writing in the exercise of their official duties, and shall not lose it even when they have ceased to perform their duties.

The Executive Secretary may renounce the above-mentioned privileges and immunities on his own behalf or that of the officials of the secretariat or the experts.